

BEFORE THE
DEPARTMENT OF CONSUMER AFFAIRS
BUREAU OF SECURITY AND INVESTIGATIVE SERVICES
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

OUSAMA WAFAA KARAWIA, et al.,

Respondents.

Case No. IP 2009 4707

OAH No. 2011010284

**CONTINUANCE ORDER; INTERIM
SUSPENSION ORDER**

This matter was scheduled for hearing before Eric Sawyer, Administrative Law Judge, Office of Administrative Hearings, State of California, on August 16, 2011, in Los Angeles.

Shawn P. Cook, Deputy Attorney General, represented Complainant.

Ousama Wafaa Karawia was present and represented himself and the other Respondents, with the assistance of Alexander Gareeb, Esq. Respondent Karawia is the president, managing operator and/or owner of International Services, Inc.; International Armored Solutions, Inc.; Nationwide Law Enforcement Academy; and Nationwide Law Enforcement Academy II. Respondent Karawia and those entities are the Respondents in this matter.

The Bureau of Security and Investigative Services (Bureau) has issued to Respondents the following licenses and licensing rights: a) Private Patrol Operator License No. PPO-11025; b) Alarm Company Operator License No. ACO-5872; c) Private Investigator License No. PI-17005; d) Private Patrol Operator License No. PPO-14858; e) Training Facility Firearm License No. TFF-267; f) Training Facility Baton License No. TFB-268; g) Training Facility Firearm License No. TFF-1049; and h) Training Facility Baton License No. TFB-1031.

At the outset of the hearing, Respondent Karawia requested a continuance of the matter because a criminal case against him based on the same transactions alleged in the Accusation is still pending. Respondent Karawia will assert his Fifth Amendment right to not testify in this administrative matter until his criminal case is resolved. Respondents argued that they will be deprived of due process if this administrative hearing goes forward without Respondent Karawia being able to testify on his own behalf. Complainant opposed the continuance motion.

Respondents cite the case of *Pacers, Inc. v. Superior Court of San Diego* (1984) 162 Cal.App.3d 686, 690. The *Pacers* case is not on point. That case was a civil matter for monetary relief, in which the court held that a party's refusal to answer questions during a deposition after asserting the Fifth Amendment did not warrant a ruling prohibiting that party from testifying at trial. The instant case is an administrative matter involving the licensing rights of Respondents, which implicates public protection considerations.

An administrative hearing is generally not continued or abated when a criminal action based on the same facts is pending against the same party. The prevailing law is that hearing an administrative case before an accused's trial on criminal charges arising from the same transaction does not infringe on the accused's constitutional rights. (*Savoy Club v. Board of Supervisors* (1970) 12 Cal.App.3d 1034, 1038.) Because administrative proceedings involving license revocation are not criminal in nature but are set up by the legislature to protect the public, it would frustrate the legislative intent to abate an administrative proceeding until the conclusion of the criminal action. (*Funke v. DMV* (1969) 1 Cal.App.3d 449.)

In this case, the above cited authority indicates that Respondents' due process right will not be deprived by going forward with the administrative hearing. Moreover, the interest of public protection outweighs Respondents' due process concern. Therefore, a continuance of the matter is not warranted by virtue of the fact that Respondent Karawia's criminal matter is still pending.

However, Respondent Karawia states that his licenses have expired and he has gone out of business. He has no intention of engaging in licensed activity while his criminal case is pending. The parties have stipulated that a continuance of the hearing in this matter is warranted if Respondents agree to have an interim suspension order (ISO) issued against all of the involved licenses and licensing rights issued by the Bureau. The parties have agreed that an ISO will remain in effect until the Bureau makes a final Decision after a hearing on the merits of the Accusation. In reaching this stipulation, Respondent Karawia does not admit any wrongdoing or culpability for any of the allegations in the Accusation. The hearing on the merits of the Accusation will therefore be continued to a date after the criminal matter is resolved. The parties currently estimate that Respondent Karawia's criminal trial will be scheduled for October of 2011. A telephonic trial setting conference shall occur after Respondent Karawia gets a trial date in his criminal matter. The parties currently estimate that the criminal trial date will be scheduled on or about September 28, 2011. The parties stipulated to these terms on the record. This resolution will properly balance the interests of the parties. The ISO will serve the interests of public protection. The continuance of the hearing will provide Respondent Karawia with an opportunity to timely resolve the pending criminal matter, which would allow him to testify in the hearing of the Accusation. Good cause was therefore established for the order below.

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ORDER

Respondents' above-described licenses and licensing rights with the Bureau are suspended until such time as a final decision on the merits of the Accusation in this matter is reached. During the suspension, Respondents shall not engage or attempt to engage in any acts for which a license with the Bureau is required.

Respondents shall immediately, if not already done, deliver to the Bureau, or its agent, for safekeeping pending a final administrative order in this matter, all indicia of the above-described licenses and licensing rights with the Bureau, including but not limited to wall certificates and wallet cards.

The hearing in this matter is continued. A telephonic trial setting conference is scheduled for October 4, 2011, at 10:00 a.m., before the Presiding Administrative Law Judge. The Office of Administrative Hearings shall initiate the call. At that time, a new hearing date in this matter will be scheduled.

DATED: August 16, 2011



ERIC SAWYER
Administrative Law Judge
Office of Administrative Hearings

DECLARATION OF SERVICE

Case Name: Karawia, Ousama W.

OAH No.: 2011010284

I, Sylvia Padilla, declare as follows: I am over 18 years of age and am not a party to this action. I am employed by the Office of Administrative Hearings. My business address is 320 West Fourth Street, Suite 630, Los Angeles, CA 90013. On August 17, 2011, I served a copy of the following document(s) in the action entitled above:

CONTINUANCE ORDER; INTERIM SUSPENSION ORDER

to each of the person(s) named below at the addresses listed after each name by the following method(s):

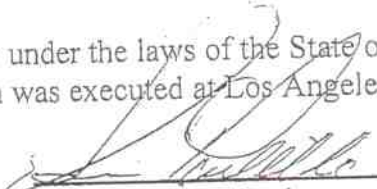
Shawn P. Cook, Deputy Attorney General
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300 S. Spring St., Ste. 1702
Los Angeles, CA 90013

Ousama W. Karawia
dba Nationwide Law Enforcement Academy
1801 W. Beverly Blvd.
Los Angeles, CA 90057

Ousama W. Karawia
dba International Services, Inc.
3771 242nd Street, #205
Torrance, CA 90505

☒ **United States Mail.** I enclosed the document(s) in a sealed envelope or package addressed to the person(s) at the address(es) listed above, and placed the envelope or package for collection and mailing, in accordance with the Office of Administrative Hearings' ordinary business practices, in Los Angeles, California. I am readily familiar with the Office of Administrative Hearings' practice for collecting and processing documents for mailing. Correspondences are deposited in the ordinary course of business with the United States Postal Service in a sealed envelope or package with postage fully prepaid. [☐ by certified mail].

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. This declaration was executed at Los Angeles, California on August 17, 2011.


Sylvia Padilla, Declarant